

REMARKS

By this amendment, the dependency of Claim 15 has been corrected.

New Claims 26-32 have been entered to further define our invention.

In the last Advisory Action, the Examiner cited US patents nos. ,854(Yang), 741(Pawliszyn), ,217((Hsu) and ,228(Koehler et al.), without making any specific claim rejection(s).

The Examiner appears to allege that Koehler refers to plural fibers e.g. col 4. lines 35-53 and col. 6. lines 18-20, as well as headspace or liquid sampling in a container sealed with a septum(col. 2, lines 17-22, col. 4, line 30), and that Yang additionally teaches extraction with plural fibers and Hsu and Pawliszyn additionally teach headspace sampling.

Referring first to Koehler, it is submitted that there is no enabling disclosure in this reference of the use of multiple fibers as a sampling means, or for simultaneously fractioning the analytes into various extraction groups, based upon different fiber coating chemistries.

More specifically, there is no explanation provided in the reference of on the use of multiple fibers. In the passages referenced by the Examiner, although the word "fibers" is used at col. 4, line 35, in the absence of any enablement therfor, it is only conjecture as to what is intended. Faulty grammatical construction is likely, since the word "fibers" at line 35 takes antecedent from the word "fiber 46" in the previous sentence. Another possibility is that the word "fibers" is intended to cover the use

of different types of single "fibers". Both possible constructions also apply to the col. 6 passage.

Moreover, the passage in Koehler relied upon by the Examiner for headspace sampling ie. at col. 2, is taken from a Pawliszyn PCT application, which corresponds to the US ,206 patent of record. This is nothing new. However, since Pawliszyn ,206 is clearly a single fiber only device, in the absence of any enablement, this passage does point to a logical conclusion that Koehler is also a single fiber device.

Regarding Yang, taken alone, it relates to a modified syringe device, including a cartridge containing a bundle of hollow cellulose fibers, for creating a large flow path so that blood can be rapidly drawn through the device. Clearly, this disclosure has nothing to do with our claimed invention.

Moreover, in view of the non-analogous nature of the disclosure, there would be no motivation to combine it with Koehler or any of the other cited references to form basis for a prima facie case of Obviousness.

Hsu and Pawliszyn ,741 were cited by the Examiner to teach headspace sampling.

Hsu taken alone, discloses a method for enhancing extraction and detection procedures, using the Pawliszyn US ,206 single fiber device. See col. 4, lines 50-53. Accordingly, in the context of our claimed invention it is no more relevant than the US ,206 patent.

With respect to the Pawliszyn ,741 patent, it describes several methods to enhance analyte extraction. The apparatus employed in the figure 2 embodiment is clearly a single hollow fiber 20. This device differs somewhat from his US ,206 patent in that a capillary 28 is included within the hollow fiber 20. The relevance of this teaching is not understood. None of the other embodiments disclosed are remotely relevant to our claimed invention.